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September 3, 2008

Via Hand Delivery

Natural Resources - Water Rights
Attn: Jerry Olds
1594 West North Temple, Room 220
Salt Lake City, UT 84116-3154

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WATER RIGHTS
SALT LAKE

Re: WCWID and HWC Comments on Proposed Rule 655-16. Administrative Procedures for Defining Beneficial uses for Supplemental Water Rights.

Dear Jerry:

I am writing these comments on behalf of two of my clients, White City Water Improvement District ("WCWID") and Holliday Water Company ("HWC"). I appreciate your agreement to extend the public comment period on proposed Rule 655-16. I also appreciated your holding of the September 16, 2008 public hearing on the proposed rule. A great many comments were provided at that time, and I hope you will consider those comments as you consider amendments to the proposed rule.

WCWID and HWC have worked extensively with other public water suppliers that have met to discuss this matter. Most of those meetings have occurred through the Utah Water Coalition ("Coalition"). Fred Finlinson, who coordinates the Coalition, has put together comments to the proposed rule and provided copies to WCWID and HWC. Revisions have been made to the comments and a copy is being delivered to you by Mr. Finlinson. WCWID and HWC concur with the Coalition's written comments, incorporated them by reference herein, and urge you to modify the rule in response to the comments.

Without reiterating the Coalition's written comments, WCWID and HWC urge you to provide an exception to the rule for public water suppliers, as defined in last year's House Bill 51. Requests for administrative actions that are being sought for the reasonable future needs of the public should not be subject to the cost of complying with the proposed rule. This is especially true where the administrative action is not seeking to convey a water right,

Natural Resources - Water Rights
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September 3, 2008
Page 2

but is merely being sought to enhance the efficiencies of the water supply system by simple change order or by adding points of diversion. Conjunctive management of wells and other water sources are to be encouraged and, to the extent the proposed rule hinders such management, WCWID and HWC encourages you to amend it.

Thank you for your consideration of WCWID's and HWC's comments to the proposed rule.

Sincerely,
BOYACK ASHTON LC



Paul H. Ashton

P.S. I assume that when the proposed rule is modified, it will go out for another round of public hearings and comments as required by the Administrative Procedures Act. Please place me on your service list for those purposes. Natural Resources - Water Rights
Attn: Jerry Olds

cc: Paulina F. Flint - WCWID
Arthur L. Kimball - WCWID
Marlin Sundberg - HWC
George Grover - HWC

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